

SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

DISTRICT OF COLUMBIA,
Department of Insurance, Securities
and Banking,

Petitioner,

v.

D.C. CHARTERED HEALTH PLAN, INC.,

Respondent.

Civil Action No. 2012 CA 008227 2
Judge Melvin R. Wright
Calendar 15
Next Event: Status Hearing
September 11, 2014 at 9:30 a.m.

PETITION FOR PAYMENT FROM THE COURT REGISTRY

D.C. Chartered Health Plan, Inc., acting through its Rehabilitator, Special Deputy to the Rehabilitator and their attorneys (“Chartered”), respectfully petitions this Court to enter the requested Order in order to withdraw the funds (\$2,072,770.27) deposited into the Court Registry on behalf of the District of Columbia Department of Health Care Finance (“DHCF”) and to distribute those funds to Chartered providers identified on *In Camera* Exhibit 1, in accordance with this Court’s October 17, 2013 Order.

As described in the *Eighth Status Report and Petition for Order to Deposit Funds into the Court’s Registry Pursuant to Superior Court Rule 67*, Chartered sought the Court’s authorization for the deposit of certain DHCF settlement funds into the Court Registry pursuant to Superior Court Rule 67. Specifically, DHCF would deposit into the Court Registry the difference between the \$30 million Part II settlement amount and the amount distributed to grant applicants. The funds would be deposited for the benefit of Chartered providers to facilitate equitable *pro rata* distribution of payments pursuant to the Court-approved Plan of Reorganization. Thus, each Chartered provider (identified as Class 3 under the Plan of Reorganization) would receive two payments that would total 83.88% of its approved claim: (1) a Part I settlement payment from Chartered for 31.45% of its approved claim, and (2) a Part II settlement payment from

DHCF for 52.43% of its approved claim either through the grant program or through distribution of funds currently in the Court Registry.

By order dated October 17, 2013, the Court approved the plan for paying providers described in the *Eighth Status Report*, authorizing a deposit by DHCF into the Court Registry and indicating that Chartered could then apply to the Court for authorization to withdraw the funds deposited by DHCF.

On July 1, 2014, a check in the amount of \$2,072,770.27 was deposited into the Court Registry on DHCF's behalf, in accordance with the Court's October 17, 2013 Order. The deposit represents the difference between the \$30 million Part II settlement amount and the amount (over \$27.9 million) paid by DHCF to providers through its grant program.

The October 17 Order mandated that the amount withdrawn from the Court Registry "may be paid only to Class 3 providers who did not receive funds through the DHCF grant program" but otherwise would be eligible to receive funds under the DHCF Settlement. All such providers are identified in *In Camera* Exhibit 1, which also lists the amount each provider would receive for its Part II Settlement Payment from the \$2,072,770.27 in Court Registry funds. (Chartered already has made all Part I settlement payments.)

WHEREFORE, Chartered petitions this Court to enter the requested Order permitting Chartered to withdraw the \$2,072,770.27 in funds deposited into the Court Registry and to pay the providers the amounts listed in *In Camera* Exhibit 1.

Date: July 30, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th July, 2014, a copy of the foregoing *Petition for Payment* from the Court Registry, and proposed order, was filed and served by email upon:

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EXHIBIT 1

Exhibit submitted to Court *In Camera*.